THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

ORIGINAL JURISDICTION
Dated: Nainital: the 4th day of July 2005
II Bail Application No. 589 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Yogesh S/o Chotan Lal Parjapat
R/o Bahadarpur Jat
Police Station- Pathari
District- Haridwar .....Applicant

Versus

State of Uttaranchal ....Opposite Party

Case Crime No. 20 of 2005
Under Section 308, 452, 504 I.P.C.
Police Station – Pathari
District- Haridwar

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard learned counsel for the applicant and learned AGA for the State.

This is second bail application. The first bail application was rejected on 18-06-2005 by this Bench for want of prosecution.

Perused the record. It has been contended that the injury as has been indicated in the FIR and medical report doest not reveal that it is dangerous to life. There is no evidence that the said injury was fatal to the victim. As such the learned counsel for the applicant contended that a case u/s 308 IPC is made out.

Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the applicant- accused be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of CJM concerned.

(J.C.S. Rawat, J.)

Dated 04.07.2005
M.P.S.